

**AMENDMENT TRANSMITTAL LETTER**Docket No.  
SPINE 3.0-441 CONTApplication No.  
10/667,034Filing Date  
September 22, 2003Examiner  
Robert, Eduardo C.Art Unit  
3731

Applicant(s): James D. Ralph, Stephen Tatar, and Thomas J. Errico

Invention: POROUS INTERVERTEBRAL DISTRACTION SPACERS

**TO THE COMMISSIONER FOR PATENTS**

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

**CLAIMS AS AMENDED**

	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	13	- 20 =		x	
Independent Claims	3	- 3 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify): Extension for response within third month					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					

 Large Entity Small Entity No additional fee is required for this amendment. Please charge Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_. A duplicate copy of this sheet is enclosed. A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed. Payment by credit card. Form PTO-2038 is attached. The Director is hereby authorized to charge and credit Deposit Account No. 12-1095 as described below. A duplicate copy of this sheet is enclosed. Credit any overpayment. Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

Dated: August 4, 2005

Michael J. Doherty

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Dated: August 4, 2005

Signature:

*Michael J. Doherty*  
(Michael J. Doherty)

Docket No.: SPINE 3.0-441 CONT CONT  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of: :  
Ralph et al. :  
Application No.: 10/667,034 : Group Art Unit: 3731  
Filed: September 22, 2003 : Examiner: E. Robert  
For: POROUS INTERVERTEBRAL :  
DISTRACTION SPACERS :  

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT**

Dear Sir:

In response to the Office Action mailed February 8, 2005, Applicants submit the following amendments and remarks.